

**REMARKS**

A petition to extend the time for response by one (1) month is enclosed herewith.

Claims 10-18 were previously pending in the application. By the Amendment, new Claims 19 and 20 have been added, and Claims 10-18 remain unchanged.

The claims stand rejected under the cited prior art of record, as follows:

- Claims 10-14 were rejected under 35 USC §103(a) as being unpatentable over US Published Patent Application No. 20020062654 to Navarro (Navarro '654) in view of US Patent No. 5219383 to Minari et al. (Minari '383).
- Claims 10, 17 and 18 were rejected under 35 USC §103(a) as being unpatentable over US Published Patent Application No. 2003202179 to Masashi (Masashi '179) in view of Minari '383.
- Claim 12 was rejected under 35 USC §103(a) as being unpatentable over Navarro '654 or Masashi '179 in view of Minari '383.
- Claim 15 was rejected under 35 USC §103(a) as being unpatentable over Minari '383 in view of US Patent No. 4477166 to Funk (Funk '166) and US Patent No. 2222823 to Parenti (Parenti '823).

- Claim 16 was rejected under 35 USC §103(a) as being unpatentable over Navarro '654 and Minari '383 in view of Japan Patent No. 2002-295968 to Shiraishi (Shiraishi '968).

Independent Claim 1 recites a refrigeration device including a collection device for condensed water, and a vaporiser for the condensed water connected to the collection device. The vaporiser operates to produce droplets of water from the condensed water by a non-evaporation step in which the droplets of water are formed directly from the condensed water without any intermediate steps of evaporating the condensed water into a gas and thereafter condensing the gas to form droplets.

Navarro '654 is directed to an air curtain for an open front refrigerated showcase that contains food items. (See Abstract). A dissipater pan 13, as seen in Figure 1, is provided to accumulate water. The dissipater pan 13 holds a copper precondenser coil 12 with a major portion of the precondenser coil 12 exposed to the atmosphere. The water evaporates into the atmosphere from the dissipater pan 13. (Paragraph 0039). As seen in Figure 1, forward of the filter 11, the top of the refrigerated showcase is exposed to the atmosphere by the open mesh grid cover 2 to facilitate the evaporation of the water warmed by the heat absorbed from the precondenser coil 12 in the pan 13. (Paragraph 0045). Therefore, according to Navarro '654, water in the pan is warmed and thereby evaporated into the atmosphere in a shorter time period than had the water not been warmed.

Minari '383 discloses an ice making machine including a cooling vessel arranged to store an amount of liquid cooling medium and an amount of separation medium located about the cooling medium. (See Abstract). Minari '383 has a single Figure and with reference thereto, the internal cylindrical

housing 11 is configured for storage of an amount of liquid cooling medium 15 and an amount of separation medium 16. In the first embodiment, mercury is used as the cooling medium 15 and a hydrophobic liquid such as castor oil is used as the separation medium 16. The hydrophobic liquid is located above the mercury layer 15 due to the difference in specific gravity. (Col. 2, ll. 41-52). In operation, both mediums 15, 16 in the internal cylindrical housing 11 of the cooling vessel 10 are maintained at about -15 degrees centigrade and the hydrophobic liquid 16 is circulated under operation of a pump. (Col. 3, ll. 4-7).

A water supply system 22 including a water tank 21 is provided with a water supply conduit 22 and a nozzle 23. The water tank 21 stores a predetermined amount of fresh water which is injected into the internal cylindrical housing 11 of the cooling vessel 10. The fresh water from tank 21 is supplied as water drops under the mercury layer in housing 11 by means of the nozzle 23. (Col. 2, ll. 53-62). In operation, fresh water from the water supply system 20 is supplied as water drops 17a into the mercury layer 15 through the nozzle 23. The water drops 17a are formed into ice balls 17b while rising through the mercury layer 15. The formed ice balls 17B are then separated from the mercury layer 15 and the hydrophobic liquid 16 to be floated on the surface of the hydrophobic liquid 16 which, by means of its flow, provides the ice balls to a conveyor 34 to be harvested. (Col. 3, ll. 10-21).

Unlike the present invention, the nozzle of Minari '383 provides a stream of discreet water drops into a medium operating at -15 degrees centigrade for freezing of the water droplets individually into individualized ice balls. In substantial contrast, the misting apparatus or vaporizer of the present invention provides a mist or fog-like droplet cloud into atmospheric air for dispersion in the air to facilitate the evaporation process. The result is air with an increased moisture content. Accordingly, Navarro '654 and Minari '383 disclose such

disparate apparatus as to be virtually uncombinable to achieve any useful structure, and a combination of Navarro '654 and Minari '383 would not result in the present invention. Further, aside from a collection tray, none of the cited references disclose the structure of the present vaporizer or misting apparatus.

Masashi '179 discloses an apparatus to drain water generated from a cooler of the freezing and refrigeration device of the showcase is itemized with an ultrasonic oscillator and atomized water is blown out before the radiator of the freezing and refrigeration device to cool the radiator and evaporate atomized water with heat thereof for completing evaporation. Since blowing out atomized water causes recondensation, leak and contamination by underwater bacteria, the storage tank and an atomization tank are separated in conditions to avoid reproduction of underwater bacterial as much as possible and to perform efficient atomization are maintained and atomized water is supplied when the radiator is under a high temperature condition.

None of the other cited references make up the deficiencies of Navarro '654, Minari '383, and Masashi '179 and therefore, even though such references are used to reject dependent claims, none of the structure therein will combine with Navarro '654, Minari '383, Masashi '179 to achieve the present invention as disclosed in any of the dependent claims.

For these and other reasons, Navarro '654 and Minari '383, either alone or in combination, do not teach or suggest the subject matter defined by independent Claim 10. Therefore, Claim 10 is allowable. Claims 11-14 depend from Claim 10 and are allowable for the same reasons and also because they recite additional patentable subject matter.

For these and other reasons, Masashi '179 and Minari '383, either alone or in combination, do not teach or suggest the subject matter defined by independent Claim 10. Therefore, Claim 10 is allowable. Claims 17 and 18 depend from Claim 10 and are allowable for the same reasons and also because they recite additional patentable subject matter.

For these and other reasons, Navarro '543, Masashi '179 and Minari '383, either alone or in any combination, do not teach or suggest the subject matter defined by dependent Claim 12. Therefore, Claim 12 is allowable. Claim 12 depends from Claim 10 and is allowable for the same reasons.

For these and other reasons, Navarro '543, Minari '383, Funk '166 and Parenti '832, either alone or in any combination, do not teach or suggest the subject matter defined by dependent Claim 15. Therefore, Claim 15 is allowable. Claim 15 depends from Claim 10 and is allowable for the same reasons.

For these and other reasons, Navarro '654, Minari '383 and Shiraishi '968 either alone or in any combination, do not teach or suggest the subject matter defined by dependent Claim 16. Therefore, Claim 16 is allowable. Claim 16 depends from Claim 10 and is allowable for the same reasons.

New independent Claim 19 recites a refrigeration device including a collection device for collecting and holding condensate produced by the refrigeration device. A misting apparatus is also included for obtaining a predetermined amount of condensate from the collecting device and expelling the condensate into the atmosphere as airborne droplets for evaporation of the condensate in the atmosphere.

The prior art, particularly Navarro '654 and Minari '383, does not disclose a refrigeration device as recited in Claim 19. More specifically, the prior art does not disclose, among other things, a misting apparatus for obtaining a predetermined amount of condensate from the collecting device and expelling the condensate into the atmosphere as airborne droplets for evaporation of the condensate in the atmosphere.

Therefore, Applicants respectfully request allowance of independent Claim 19. Claim 20 depends from Claim 19 and should be allowed for the same reasons and also because additional patentable subject matter is recited therein.

**CONCLUSION**

In view of the above, entry of the present Amendment and allowance of Claims 10-20 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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